

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BLONDELL SIMMONS,

Plaintiff,

v.

JEFFREY A. BEARD, et al.,

Defendants.

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Civil Action No. 07-50 Erie

ORDER

AND NOW, this 11th Day of June, 2009, upon consideration of the Plaintiff's motion to alter or amend the judgment pursuant to Fed. R. Civ. P. 59(e),

IT IS HEREBY ORDERED that said motion is DENIED inasmuch as it is untimely under Rule 59(e) and fails to set forth any grounds for relief under Rule 59, nor does the Plaintiff's motion set forth any basis for relief under Fed. R. Civ. P. 60.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN
United States District Judge

cm: all parties of record.
Chief U.S. Magistrate Judge Susan Paradise Baxter